



**ERIC GIBSON**  
DIRECTOR

## County of San Diego

### DEPARTMENT OF PLANNING AND LAND USE

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### MITIGATED NEGATIVE DECLARATION

October 30, 2008

Project Name: Paseo Village Condominium Tentative Map

Project Number(s): TM5509; S06-030

**This Document is Considered Draft Until it is Adopted by the Appropriate  
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
- b. Environmental Analysis Form and attached extended studies for Biology, Hydrology, Traffic, Noise, Storm Water Management, and Hazards Materials Assessment .

1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.
2. Participate in the cost of traffic signal installation at the intersection of State Route 67 (SR-67)/Montecito Road (SC 931). The amount of the developer's portion of the entire cost of the signal shall be \$1,258.00.
  - a. The fee is to assist in financing the construction / enhancement of a traffic signal to mitigate the impact of this project on traffic safety;
  - b. The fee will be used to contribute toward the installation / improvement of traffic signal at the intersection of SR-67 and Montecito Road (SC 931);
  - c. The traffic signal will help mitigate the impact of additional traffic on this intersection caused by the project;
  - d. This project will contribute additional traffic to the intersection of SR-67 and Montecito Road (SC 931);
  - e. The fee of \$1,258.00 is based on an estimate of the percentage of traffic this project will contribute to this intersection.
3. Participate in the cost of traffic signal installation at the intersection of State Route 67 (SR-67)/14<sup>th</sup> Street. The amount of the developer's portion of the entire cost of the signal shall be \$1,644.00.
  - a. The fee is to assist in financing the construction / enhancement of a traffic signal to mitigate the impact of this project on traffic safety;
  - b. The fee will be used to contribute toward the installation / improvement of traffic signal at the intersection of SR-67 and 14<sup>th</sup> Street;
  - c. The traffic signal will help mitigate the impact of additional traffic on this intersection caused by the project;
  - d. This project will contribute additional traffic to the intersection

of SR-67 and 14<sup>th</sup> Street;

- e. The fee of \$1,644.00 is based on an estimate of the percentage of traffic this project will contribute to this intersection.

## B. NOISE

1. Prior to the approval of grading or improvement plans, issuance of a grading permit, and prior to approval of each final map, provide evidence to the satisfaction of the Director of Public Works that a 10 foot high temporary construction noise barrier has been shown on the grading and or improvement plans.
  - a. The temporary construction noise barrier along the northwestern and northeastern edge of the project property will be ten feet (10') high with a minimum surface density of 3.5 pounds per square foot, consisting of masonry, wood, berm, plastic, fiberglass, steel or a combination of these material with no cracks or gaps through or below the wall. If wood is used, temporary barrier design shall incorporate tongue and groove with a minimum thickness of 7/8 of an inch.
  - b. Temporary construction noise barrier details and location are shown on Section 5.3.2 Temporary Construction Noise and Figure 14 in the noise report prepared by Eilar Associates received on September 19, 2007. The temporary barrier will remain during the GRADING and DIGGING phase. Noise report is on file with the Department of Planning and Land Use as case number tentative parcel map TM5509.
2. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans and are made conditions of its issuance:
  - a. "Prior to rough grading sign off, provide evidence to the satisfaction of the Director of Planning and Land Use, that a 10 foot high temporary construction noise barrier has been constructed along the northern and eastern property line edge pursuant to the approved grading plan. The applicant shall submit a signed, stamped statement from a California Registered Engineer, licensed surveyor or County approved

noise consultant, and photographic evidence that the sound wall has been constructed. **[DPLU, FEE]**"

3. Prior to obtaining any building or other permit pursuant to Site Plan S06-030, and prior to commencement of construction the applicant shall:
  - a. The Building Plans shall indicate the make and model of the AC units. Specify that the proposed AC units as "Comfortmaker N2342AKA AC Units or equivalent sized units with a single unit sound power level of 76 dBA". Refer to Section 5.2.2 for sound level measurements in the Acoustical Analysis Report prepared by Eilar's Associates received on September 19, 2007.
  - b. The Building Plans shall indicate a 3 foot high patio walls as a "noise control element". The patio wall is considered a project design specification.

#### C. PALEONTOLOGICAL RESOURCES

1. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans and are made conditions of its issuance:
  - a. "This project site has marginal to low levels of sensitive Paleontological resources. All grading activities are subject to the *County of San Diego Grading Ordinance Section 87.430*, if any significant resources (Fossils) are encountered during grading activities. The grading contractor is responsible to monitor for paleontological resources during all grading activities. If any fossils are found greater than 12 inches in any dimension, stop all grading activities and contact the County Permit Compliance Coordinator with the Department of Planning and Land Use before continuing grading operations. **[DPLU, FEE]** "
  - b. "If **any** paleontological resources are discovered and salvaged, the monitoring, recovery, and subsequent work determined necessary shall be completed by or under the supervision of a Qualified Paleontologist pursuant to the San

Diego Guidelines for Determining Significance for  
Paleontological Resources.”

- c. “Prior to Rough Grading Inspection (SEC. 87.421) do the following: If **no** paleontological resources were discovered, submit a “No Fossils Found” letter from the grading contractor to the director of Planning and Land Use stating that the monitoring has been completed and that no fossils were discovered, and including the names and signatures from the fossil monitors. The letter shall be in the format of Attachment E of the County of San Diego Guidelines for Determining Significance for Paleontological Resources. **[DPLU, FEE]** “

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

The "Standard Conditions for Tentative Subdivision Maps," approved by the Board of Supervisors on June 16, 2000 and filed with the Clerk as Document No. 740858(a), shall be made conditions of this Tentative Map approval. Only those exceptions to the Standard Conditions set forth in this resolution or shown on the Tentative Map will be authorized.

PLANS AND SPECIFICATIONS

(Street Improvements and Access)

1. STANDARD CONDITIONS 1 THROUGH 12.

2. Specific Conditions DPW:

- a. Prior to recordation of the Final Map, improve or agree to improve and provide security for the easterly half of Day Street along the project frontage in accordance with Public Road Standards for a Residential Collector Road, to a minimum graded width of thirty feet (30') from centerline and to a minimum improved width of twenty feet (20') from centerline with asphalt concrete pavement over approved

base and Portland cement concrete curb, gutter and sidewalk; face of curb at twenty feet (20') from centerline including asphalt concrete taper transitions to match existing pavement, to the satisfaction of the Department of Public Works.

- b. Prior to recordation of the Final Map, improve or agree to improve and provide security for the southerly half of La Brea Street along the project frontage in accordance with Public Road Standards for a Residential Collector Road, to a minimum graded width of thirty feet (30') from centerline and to a minimum improved width of twenty feet (20') from centerline with asphalt concrete pavement over approved base and Portland cement concrete curb, gutter and sidewalk; face of curb at twenty feet (20') from centerline including asphalt concrete taper transitions to match existing pavement, to the satisfaction of the Department of Public Works.
- c. Prior to recordation of the Final Map, improve or agree to improve and provide security for the northerly half of Vermont Street along the project frontage in accordance with Public Road Standards for a Residential Collector Road, to a minimum graded width of thirty feet (30') from centerline and to a minimum improved width of twenty feet (20') from centerline with asphalt concrete pavement over approved base and Portland cement concrete curb, gutter and sidewalk; face of curb at twenty feet (20') from centerline including asphalt concrete taper transitions to match existing pavement, to the satisfaction of the Department of Public Works.
- d. Corner thirty-foot (30') corner rounding improvements at the La Brea Street/ Day Street and Vermont Street/ Day Street intersections with pedestrian ramps conforming to San Diego Area Regional Standard Drawing G-27.
- e. Where a public road is adjacent to the project's boundary, the developer shall construct any required curbs, gutters, ditches and/or sidewalks and a minimum of one-half of the forty feet (40') of surfacing width for the Residential Collectors, but in no case less than twenty-eight feet (28') of paving and forty feet (40') of grading plus slopes. Taper transitions constructed to Caltrans Standards shall be

constructed from ends of road widening improvements to existing edge of pavements on Day Street, La Brea Street, and Vermont Street.

- f. Internal private roads serving the condominium project shall conform to the following, to the satisfaction of Ramona Fire Department/CDF and the Director of Department of Public Works.
  - (1) Minimum unobstructed private road width (face to face of curb) shall be 24 feet.
  - (2) Private road structural section shall be a minimum of two inches of asphalt concrete over four inches of approved base. Grades shall be a minimum of 1.0 percent and a maximum of 15 percent and designed to drain the surface water properly. Adequacy of the structural section and surface drainage shall be inspected and certified by the Director of Public Works.
  - (3) Property owners shall agree to preserve and save harmless the County of San Diego and each officer and employee thereof from any liability or responsibility for any accident, loss or damage to persons or property, happening or occurring as the proximate result of any of the work undertaken to complete this work, and that all of said liabilities are hereby assumed by the property owner. Hold harmless forms are available from the Department of Public Works.
  - (4) The applicant shall deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private improvements.
  - (5) Private roads shall be marked with signage/ground markings stating "Fire Lane – Do Not Block". Exit driveways shall not be obstructed or limited.
- g. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of

asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Department of Public Works.

- h. Adequate sight distance shall be provided at all proposed intersections, pursuant to County Design Standards, Public and Private Road standards, and to the satisfaction of the Director of Department of Public Works.
- i. Where height of fill bank for a 2:1 slope is greater than twelve feet (12'); or where height of fill bank for a 1.5:1 slope is greater than ten feet (10'), guardrail shall be installed per CALTRANS standards to the satisfaction of the Director of Public Works.
- j. Unless stated otherwise, improve roads or agree to improve and provide security for them, prior to the recordation of the Final Map.
- k. Day Street/Vermont Street intersection shall have appropriate paving and grading to accommodate striping and signing, plus taper transition to existing pavement, pursuant to Figure 20, of the Traffic Impact Study (TIS) prepared by Federhart & Associates dated September 19, 2007, to the satisfaction of the Director of Department of Public Works.

(Drainage/Flood Control)

- 3. Standard Conditions 13 through 18.
- 4. Specific Conditions:
  - a. Flood control maintenance onsite shall be privately maintained by a private maintenance mechanism such as a homeowners association or other private entity acceptable to the satisfaction of Director of Department of Public Works.
  - b. The 100-year flood line of the natural channels crossing all lots with drainage watersheds in excess of twenty-five (25) acres shall be clearly delineated on the non-title information sheet of the Final Map.



- c. If the project includes category 2 post-construction BMPs, the applicant will be required to establish a maintenance agreement/mechanism to assure maintenance of these BMPs and provide security to back up maintenance pursuant to the County Maintenance Plan Guidelines; maintenance requirements and costs for treatment BMPs shall be based on County of San Diego Standard Urban Stormwater Mitigation Plan (SUSMP) Appendix H. Ref: Ordinance No. 9926, Maintenance of BMPs. Maintenance requires an access easement granted to the County of San Diego, to the satisfaction of the Department of Public Works.
  - (1) The applicant may be required to submit a completed "Engineers Report for BMP Maintenance" to the satisfaction of the Department of Public Works.
  - (2) The applicant may be required to deposit \$4,000 to pay for all costs associated with reviewing the Engineers Report the satisfaction of the Department of Public Works.
  - (3) The applicant may be required to pay an amount equal to 24 months of maintenance for the entire project as estimated in the approved Engineer's Report.

(Grading Plans)

- 5. Standard Conditions 19(a-e).
- 6. Specific Conditions DPW:

- a. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9926), Stormwater Standards Manual, and Standard Urban Stormwater Mitigation Plan (SUSMP) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than one (1) acre require that the

property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

- b. Comply with Low Impact Development (LID) requirements as applicable. These requirements are found on page 19 [Section D.1.d. (4) a & b] of the Municipal Storm water Permit:
  - i. <http://www.swrcb.ca.gov/rwqcb9/programs/stormwater/sd%20permit/r9-2007-0001/Final%20Order%20R9-2007-0001.pdf>
  - ii. The LID Handbook is a great source for LID information and may be utilized for implementing LID in our region. [http://www.sdcounty.ca.gov/dplu/LID\\_PR.html](http://www.sdcounty.ca.gov/dplu/LID_PR.html)
  - iii. Fact Sheets in the Appendix may be the most useful for information on all of the engineered techniques.
- c. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipaters, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal to the cost of this work as determined or approved by the County Department of Public Works. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. If said deposit collected for grading is less than \$5,000.00, the developer will supplement the deposit to equal \$5,000.00. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.

FAIR HOUSING

7. Standard Condition 20.

SANITATION

8. Standard Condition 21.
- a. To the satisfaction of the Director of Environmental Health the applicant shall have a licensed septic pumper remove or pump the existing on-site sewage disposal system on Assessor Parcel Number 282-130-24. The septic tank must be destroyed and backfilled.

FIRE PROTECTION AND WATER SUPPLY

9. Standard Conditions 23.1 and 23.2

PLANNING AND ZONING ADMINISTRATION

DEVELOPMENT IMPACT FEES

10. Specific Conditions:
- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the public and private road improvements.
- b. Participate in the construction of planned drainage facilities for Zone 1, Planned Local Drainage Area 43E, by paying a drainage fee of \$3,032. The Planning Commission hereby determines that:
- (1) The fee is to assist in financing the construction of the planned local drainage (PLD) facilities for Zone 1, Local Drainage Area 43E;
- (2) The fee will be used to contribute toward the construction of drainage facilities such as: reinforced concrete pipe culverts, corrugated metal pipe culverts, concrete-lined trapezoidal channels, rock-lined channels, reinforced box culverts, concrete dip sections, energy dissipaters, rip-rap slope protection, etc., planned for Zone 1, Local Drainage Area 43E,

specified in the Drainage Fee Ordinance No. 5856 on file with the Department of Public Works;

- (3) The Board of Supervisors has determined that facilities for the removal of surface and storm waters from local or neighborhood drainage areas within Zone 1, Local Drainage Area 43E, need to be constructed as subdivision and other development occurs, such as that proposed by TM 5509, to protect and benefit all property in the area;
  - (4) To provide adequate flood protection for future occupants of this residential development, it is necessary to construct the planned drainage facilities to remove surface and storm waters from local or neighborhood drainage areas; and
  - (5) The fees established for Zone 1, Local Drainage Area 43E, are based on estimated costs of the planned drainage facilities which are apportioned within the drainage area on the basis of benefit conferred on the property.
- d. Participate in the cost of traffic signal installation at the intersection of State Route 67 (SR-67)/Montecito Road (SC 931). The amount of the developer's portion of the entire cost of the signal shall be \$1,258.00.
- (1). The fee is to assist in financing the construction / enhancement of a traffic signal to mitigate the impact of this project on traffic safety;
  - (2). The fee will be used to contribute toward the installation / improvement of traffic signal at the intersection of SR-67 and Montecito Road (SC 931);
  - (3). The traffic signal will help mitigate the impact of additional traffic on this intersection caused by the project:
  - (4). This project will contribute additional traffic to the intersection of SR-67 and Montecito Road (SC 931);
  - (5). The fee of \$1,258.00 is based on an estimate of the percentage of traffic this project will contribute to this

intersection.

## FINAL MAP RECORDATION

Final Map requirements shall be shown on the Final Map or otherwise accomplished to the satisfaction of the Director of Public Works prior to submittal for approval by the Board of Supervisors:

(Streets and Dedication)

### 11. Specific Conditions:

- a. With the Final Map, dedicate the easterly half of Day Street along the project frontage in accordance with Public Road Standards for a Residential Collector Road to a minimum width of thirty feet (30'), together with right to construct and maintain slopes and drainage facilities, including twenty-foot (20') radius property line corner roundings at the intersections with La Brea Street and Vermont Street, to the satisfaction of the Department of Public Works.
- b. With the Final Map, dedicate the project half of both La Brea Street and Vermont Street along the project frontage in accordance with Public Road Standards for a Residential Road to a width of thirty feet (30'), together with right to construct and maintain slopes and drainage facilities, to the satisfaction of the Department of Public Works.
- c. The internal private roads serving the project shall be per Standard Condition 11 of the Standard Conditions for Tentative Subdivision Maps, to the satisfaction of the Ramona Fire Department/CDF and the Department of Public Works.
- d. Unless stated otherwise, right-of-way shall be provided for roads with the recordation of the Final Map.
- e. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.

- f. Relinquish access rights onto Day Street and La Brea Street.
- g. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control. To be in compliance with the Public Resources Code, all Subdivision Map surveys performed after January 1, 2000 must use a Basis of Bearings established from existing Horizontal Control Stations with first order accuracy.
- h. If conducted prior to January 1, 2000, a survey for any Subdivision Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of Third order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.506(j)).

If conducted after December 31, 1999, a survey for any Subdivision Map that is to be based on state plane coordinates shall show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California Coordinate values of first order accuracy or better, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as Ground distances. A combined factor for conversion of Grid-to-Ground distances shall be shown on the map.

For purposes of this section, the date of survey for the field observed connections shall be the date of survey as indicated in the surveyor's/engineer's certificate as shown on the final map.

(Miscellaneous)

12. Standard Conditions 25, 26, 27.1, and 28.

13. Specific Conditions

- a. A certification regarding condominium conditions shall conform to wording by County Counsel and shall indicate that there will be a maximum of 31 residential units constructed. [DPLU - Regulatory Planning Division]

#### WAIVER AND EXCEPTIONS

Said subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public and Private Road Standards, and all other required Ordinances of San Diego County except for a waiver or modification of the:

14. Standard Conditions for Tentative Maps:

- a. Standard Condition 25 above: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.

15. County Public Road Standards:

- a. The applicant received approval for a request for exception to spacing and location of driveway openings onto Vermont Street [Sections 6.1.C.1, 6.1.C.2, and 6.7.I.5 of the County Standards for Public Roads.] See: DPW letter, "Request for a Modification to Public Road Standard" for TM 5509, dated September 20, 2007.

The undersigned, as the individual(s) with legal authority to fully represent the above-referenced project, concur with the inclusion of the above-listed amendments as conditions of approval of the referenced project.

**ADOPTION STATEMENT:** This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

\_\_\_\_\_  
on \_\_\_\_\_

Rosemary Rowan, Planning Manager  
Regulatory Planning Division

RR:TP: